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SH#2138491

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 02-02-05	Bureau/Station/Facility: Lennox Station	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 405-01009-0399-055	Date: 02-02-05	Time: 0212 hours

City or Station: Los Angeles

Location: 835 W. Imperial Highway

Nature of Incident. Deputies Aceves and Leon were patrolling westbound Imperial Hwy. and stopped when they saw three apparent Denver Lane Blood gang members and stopped to contact and check re: possible gang activity. Upon illuminating them, one ran southeast toward and past their patrol car where deputies apprehenced the suspect. While deputies were detaining that suspect, one of the remaining two standing in front of the location, drew and fired at least one round from a 380 semi automatic handgun at the deputies. Both deputies fired back, missing the suspect. Both suspects fled on foot out of sight. The third was taken into custody. Aero and K-9 assisted in search of outstanding suspects without success.

Location Type (*circle one or more*)
Backyard
Beach
Business
Freeway
Industrial
Park
Parking Lot
Residence
Rural
School
Street (circled)
Other: commercial/apartment

Lighting (*circle only one*)
Darkness
Daylight
Other
Street Lights (circled)

Weather (*circle only one*)
Clear (circled)
Cloudy
Fog
Rain

Distance: 75 ft.

Incident Type (*circle one or more*)
Accidental
Armed Person (circled)
Fleeing Suspect
Foot Pursuit
Gun Take Away
Moving Vehicle
Sniper/Ambush
Startle
Struggle Involved (circled)
Traffic Stop
Unarmed Person
Unintentional
Vehicle Pursuit
Warrant Service
Other: possible ambush

Initiated by (*circle only one*)
Arrest Warrant
Call
Observation
One Person Unit
Other
Search Warrant
Two Person Unit (circled)

Prior Activity (*circle only one*)
Detective
Inmate Transport
Other
Routine Patrol (circled)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
9	2	☒	☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
	none			EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Johnson	Jimmie	C.	**On Duty** (circled), Present during shooting, Witness to shooting, Involved in shooting
[redacted]	Clinkunbroomer	Michael	J.	**On Duty** (circled), Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Magana	John	P.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Plett	Norine	H.

PSTD Use Only

SH # ____________

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 405-01009-0399-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
02-02-05	0415		

Employee #	Last Name	First Name	M.I
[redacted]	Stunson	David	J.
[redacted]	Cleary	John	T.
[redacted]	Jensen	Curtis	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device Hobble (Legs Only)
(TP) Restraint Device Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) 22-250
(22) 22 caliber
(23) 223 caliber
(24) .243 caliber
(25) 25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) 38 caliber
(40) 40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9	Y	Y	NN	
E#2	S#1	FH	BR	9	Y	Y	NN	
S#1	E#1	FH		WW			NN	
S#1	E#2	FH		WW			NN	

Officer Involved Shooting
Involved Employee Information

URN: 405-01009-0399-055

Involved Employee

E 1

Employee # [redacted]	Last Name Aceves	First Name Robert	M.I. J.
Sex: M Race: H	Rank DSG	Unit Assignment: Lennox Station	Work Assignment (Unit #, Module, etc.): Unit 34
ShiftTime (*circle only one*) **EM** PM Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted] Height: 5-10 Weight: 170			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name Leon	First Name Daniel	M.I. R.
Sex: M Race: H	Rank DSG	Unit Assignment: Lennox Station	Work Assignment (Unit #, Module, etc.): Unit 34
ShiftTime (*circle only one*): **EM** PM Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used
Hospital Admission? ☐	Hospital Name	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted] Height: 5-10 Weight: 190			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 2
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used.
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 405-01009-0399-055

Suspect Information

S 1

Last Name: Bazley	First Name: Rashad	M.I.: nmn
AKA Last Name: Relative, & 'Tive	First Name:	M.I.:

Sex: M Race: B.	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #:	Driver's License #: [redacted]
Age: 20 D.O.B. 01-15-85	Height: 5-06 Weight: 140	FBI #: [redacted]	CII #: [redacted]
Booking #: 8453331	Primary Charge: 664/187(A)P.C.	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: none		Model:	Year:

S 2

Last Name: White	First Name: Andre	M.I.: D.
AKA Last Name: TMack	First Name:	M.I.:

Sex: M Race: B	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone: [redacted]	Social Security #:	Driver's License #: [redacted]
Age: 20 D.O.B. 01-15-85	Height: 5-06 Weight: 194	FBI #: [redacted]	CII #: [redacted]
Booking #: 8443060	Primary Charge: 148(A)P.C.	Secondary Charge: 487(A)P.C.	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make:		Model:	Year:

S 3

Last Name: Unknown	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: M Race: B	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: 20 D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]		M.I.	
Street Address [redacted]	Zip Code [redacted]	[redacted]	Work Ph	[redacted]
Last Name [redacted]	First Name [redacted]		M.I.	
Street Address [redacted]	Zip Code [redacted]	[redacted]	Work Ph	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]		M.I.	
Street Address [redacted]	Zip Code [redacted]	[redacted]	Work Ph	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]		M.I.	
Street Address [redacted]	Zip Code [redacted]	[redacted]	Work Ph	Home Ph [redacted]
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: NON-HIT
SH 2138491
405-01009-0399-055

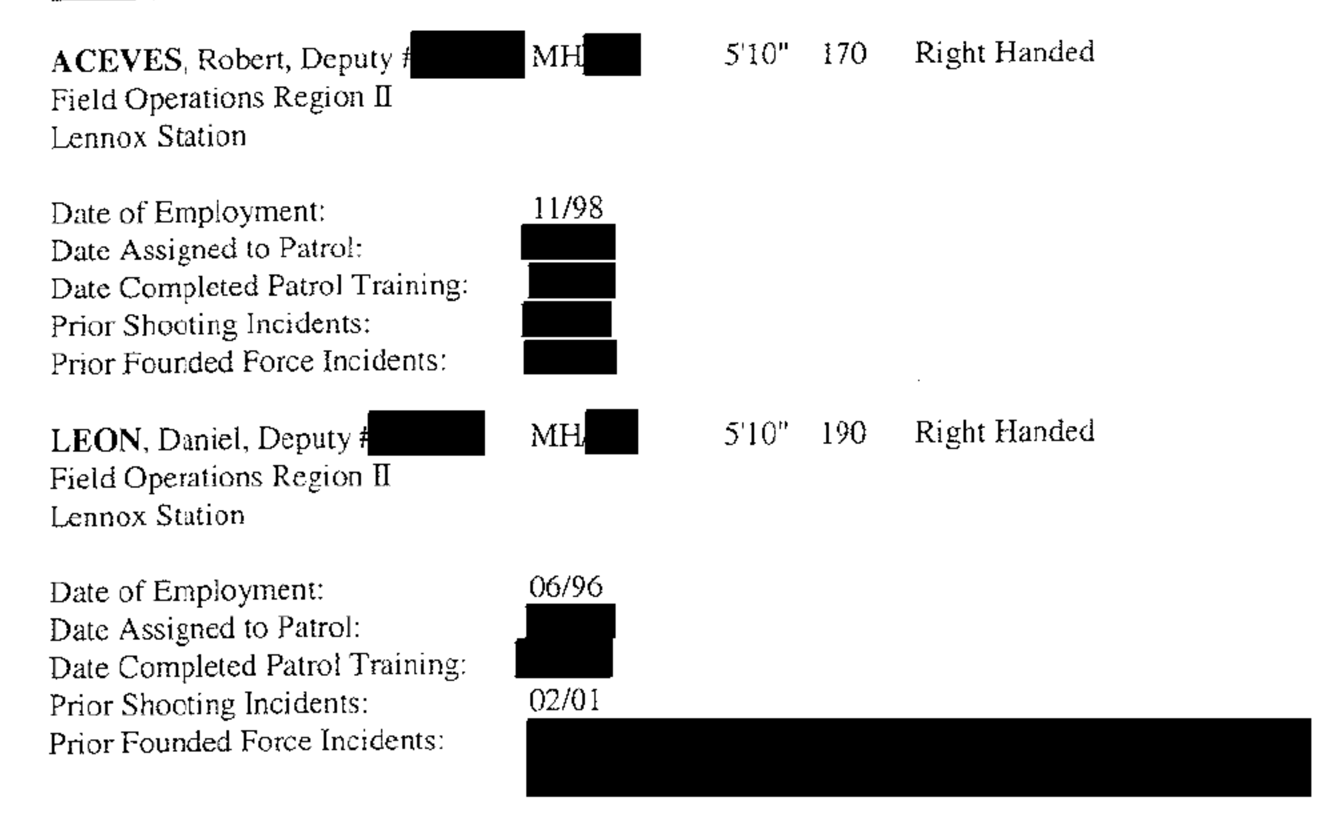
DATE / TIME / LOCATION

Wednesday, February 2, 2005
0212 hours
835 W. Imperial Highway, Los Angeles

IAB SHOOTING / FORCE TEAM

Lieutenant Curtis Jensen; Sergeant David Stunson and Sergeant John Cleary

INVOLVED PERSONNEL



ACEVES, Robert, Deputy #[redacted] MH[redacted] 5'10" 170 Right Handed
Field Operations Region II
Lennox Station

Date of Employment: 11/98
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

LEON, Daniel, Deputy #[redacted] MH[redacted] 5'10" 190 Right Handed
Field Operations Region II
Lennox Station

Date of Employment: 06/96
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: 02/01
Prior Founded Force Incidents: [redacted]

SUSPECTS

Suspect #1 - Bazley, Rashad   Bkg# 8453331   MB/22   5-05" 140 lbs.

Criminal History: [redacted]

Suspect #2 - White, Andre   Bkg# 8443060   MB/20   5'06" 194 lbs.

Criminal History: [redacted]

Unknown Suspect #3, M/B, 18-22, dark jacket and pants, not apprehended

EMPLOYEE WITNESSES

None

CIVILIAN WITNESSES



[redacted] MB/61
[redacted]

[redacted] FB/Adult
[redacted]

[redacted] FB/Adult
[redacted]

[redacted] MB/Adult
[redacted]

[redacted] FB/Adult
[redacted]



[redacted] FB/Adult

[redacted] FB/Adult

The following is based on interviews of the involved employees, suspects and witnesses conducted by OSS and Internal Affairs Bureau investigators, and other reports and materials documenting the incident.

EMPLOYEE WITNESSES

None

INJURIES

No injuries to deputy personnel or suspects.

PHYSICAL EVIDENCE

There were multiple bullet holes/strikes on the south-facing store front surfaces and plate glass window at 835 W. Imperial Highway (St. Anthony Medical Center) and on the telephone pole southwest of the building. Multiple expended 9mm shell casings ejected from deputies' Beretta's were recovered from the street surfaces in the westbound lanes south of the building (see **Exhibit C**, scene sketch, and **Exhibit E**, photographs for reference).

A Jennings "Bryco," 380 semi-automatic pistol and one magazine containing 5 live rounds were recovered from on top of the asphalt in front of location, north and west of deputies' location. One expended 380 caliber shell casing was recovered in the street south of the building and west of the deputies' radio car position (refer **Exhibits C & E**).

A set of keys which included residential door and vehicle door and ignition keys, were also found laying in the street near where Suspect White was arrested. During the subsequent search and arrest warrant service on February 10, 2005, by Operation Safe Streets detectives of Suspect Bazley's residence, the keys were confirmed to fit the location's dead bolt lock as well as the Chevrolet registered to Suspect Bazley.

(Refer to **Exhibit J**, Field Investigation reports, Exhibits C & E).

IAB INVESTIGATOR OBSERVATIONS

The location is a mix of commercial strip and apartment housing on a six lane wide boulevard in front of an isolated medical/dental clinic building (refer **Exhibits C & E**) adjacent to wide swaths of undeveloped land/vacant lots. The location is bordered by vast open street surface, a parking lot, a service station, open fields and apartment buildings.

A review of the audio recording of Lennox Station Unit 34's radio traffic immediately following the shooting confirms that Deputy Leon advised they had been involved in a "998" and that suspects were fleeing westbound and then north prior to reaching Vermont Avenue. He requested and began coordinating units for containment and then was assisted in finalizing the setting up of the containment of responding patrol units by an assisting area car.

Suspect descriptions, direction of travel and type of crime committed were all heard on the radio audio recording. Additionally, timely and appropriate resources (K-9, Aero, field supervisor and adjoining station patrol units) were requested by Deputy Leon and/or summoned by the assisting area car who was transmitting.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Aceves:

Service Weapon Type:	Department Issued Beretta 92F 9mm Semi-Automatic
Rounds Fired:	5
Type of Ammunition Used:	Department Issued Winchester Ranger RA9T 9mm
Date Employee Last Qualified:	[redacted]

Deputy Leon:

Service Weapon Type:	Department Issued Beretta 92F 9mm Semi-Automatic
Rounds Fired:	4
Type of Ammunition Used:	Department Issued Winchester Ranger RA9T 9mm
Date Employee Last Qualified:	[redacted]

WEAPON USED BY SUSPECT

Type of Weapon Used:	Black semi-auto handgun
Weapon Recovered:	Bryco, Model 38, .380 semi-auto handgun
Casings Recovered:	4 live rounds ("Fiochhi" brand) in the magazine, 1 live round found partially lodged in the chamber; one expended .380 casing on ground near gun.

Note: At the time of recovery, the weapon was observed by Firearms Identification Section personnel to have a "failure to feed" malfunction, with the slide held out of battery by a "jammed" live cartridge. The magazine was missing a floor plate and spring (found laying several yards away in the street).

Gunshot Residue Results:	N/A - suspect arrested eight days subsequent to shooting
Weapon Checked for Fingerprints:	Yes
Results:	No prints linking the suspects were recovered from the suspect weapon.

PROPERTY DAMAGE

One shattered plate glass storefront window at 835 Imperial Highway (see **Exhibit E, figure 16**); and one bullet-punctured window frame. Bullet impact strikes on exterior wall surfaces. The owner was contacted and Risk Management Bureau personnel notified, responded to the scene and will handle any claim.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator's Name:	Detectives Mark Marbach and Michael Valento, OSS, Lennox Station
Court:	Inglewood Court
Charges:	664/187 P.C. (Bazley); 148 P.C. (White)
Court Date:	D.A. Reject on both

LIGHTING AND WEATHER CONDITIONS

The incident took place at time of darkness in an area with typical municipal street lighting. The weather was clear and dry (see **Exhibit E, photos**).

INVOLVED EMPLOYEE STATEMENTS

Deputy Robert Aceves was interviewed within hours of the shooting incident on February 2, 2005, by Operation Safe Street detectives (see OSS supplemental reports by Dets. Marbach, Valento and Messerschmit) and on March 17, 2005, by the Internal Affairs Bureau investigator. His statement in each interview was essentially the same.

Deputy Aceves said that at about 0200 hours, he was the book man working in Lennox Unit 34 with partner Deputy Daniel Leon, the driver. They were traveling westbound on Imperial Highway in the #1 lane toward Vermont Avenue when they saw three black males walking eastbound along the north sidewalk. He noted the individuals were wearing gang-type attire (large oversized clothing, colors common to the area gangs), and noticed one of the individuals Suspect #2 (Suspect White), looked like he may be under 18 years of age (see **White's DMV photo under Exhibit I**), a possible curfew violation at this time of night. His partner stopped the car (approximately 45 feet from the suspects) and Deputy Aceves illuminated the three young men with his spotlight pending contact for the possible curfew violation (see **Exhibit E, figures 4, 5, 6 & 7**).

From the radio car, he ordered the individuals to stop (he recalled, "I either told them to 'Stop,' or 'come here'.") but Suspect White, who appeared somewhat nervous and unsure of what to do, ran off the sidewalk in an eastbound direction down into the street onto Imperial Highway and past where the radio car had stopped (see **Exhibit E, figures 7, 8, 22 & 23**). Deputy Aceves immediately exited the radio car and pursued the suspect on foot (a few yards) while the other two suspects remained on sidewalk. At a point approximately 10 feet past the back of their radio car,

Suspect White lost his balance and fell to the ground right after passing the patrol vehicle which allowed Deputy Aceves to catch up to him (see **Exhibit E, figure 22**). The deputy ordered the suspect to stop while he (Deputy Aceves) bent down to handcuff the suspect. As he directed the suspect to place his hands behind his back, Deputy Aceves heard Deputy Leon yell out, "He's got a gun, or something along the lines of, 'He's got a gun'." This was just before he (Aceves) heard two or three gunshots. While still maintaining control of Suspect White by holding him around his torso with his non-gun arm (left), Deputy Aceves saw Suspects #1 (Rashad Bazley) and #3 still standing on the sidewalk where he had originally seen them and illuminated them, and saw Suspect Bazley pointing a black hand gun at him and Deputy Leon.

Not knowing whether Deputy Leon had been injured or hit by gunfire, fearing for his own safety and life, and not knowing whether Suspect Bazley had ceased firing, Deputy Aceves fired five rounds from his Beretta duty weapon at Suspect Bazley. He stated the backdrop behind the two suspects was a closed business (medical center building). Deputy Aceves said that he was away from cover when the rounds were being fired at him and Leon, and he (Aceves) felt compelled to also maintain control of Suspect White since he had not been handcuffed yet, when he fired back at Suspect Bazley. Immediately after firing at Suspect Bazley, the armed suspect (Bazley) and his companion, unidentified Suspect #3, ran westbound on Imperial Highway toward northbound Vermont Avenue and out of view. He then re-holstered his Beretta and handcuffed the suspect. He remembered Deputy Leon immediately put out radio notification that they had just been in a deputy-involved shooting and had taken rounds from suspect.

When asked if he was aware of the other suspects prior to the weapon being produced by Suspect Bazley, he said that while he was preparing to handcuff Suspect White, he made alternating glances between the two individuals on the sidewalk who remained west of them and on White. He said that he felt he maintained good physical control of Suspect White while the entire incident was evolving and until he was handcuffed. He elaborated that White was seated "on his bottom." He also pointed out the suspect was shorter than him and he felt confident of his control over him during the entire incident.

When asked if he was able to utilize any cover and concealment available to him, he said that at that point and time, being in the middle of the street and having one suspect nearly in custody, there was no cover or concealment option available to him. He estimated he was at least a car length behind his radio car at the time he caught up with Suspect White. He said that both he and Deputy Leon maintained visual contact with one another during the entire incident. He also said he was aware of the area behind his target was a closed and apparently unoccupied commercial building.

He did not see any of the suspects toss the black semi-auto handgun recovered at the scene.

Deputy Daniel Leon was also interviewed within hours of the shooting incident on February 2, 2005, by Operation Safe Street detectives (see OSS supplemental reports by Dets. Marbach, Valento and [redacted] and on March 17, 2005, by the Internal Affairs Bureau investigator. His statement in each interview was essentially the same.

Deputy Leon said that while he and his partner, book man Deputy Aceves, were on patrol and traveling westbound on Imperial Highway approaching Vermont Avenue, they saw three male

blacks walking eastbound on the north sidewalk, east of the intersection. One of the males appeared to him to be young looking and all three were dressed in what he recognized as gang attire. Knowing that this area was "Denver Lane Blood " territory, he pulled up near the three young men in preparation to make a pedestrian stop pending a possible curfew violation and / or gang loitering investigation, and stopped the radio car. As he did so, his partner illuminated the men with the radio car's spotlight. They both exited the radio car. As they did so, Suspect White, the younger looking male, began to run eastbound on the north sidewalk and into the street lanes of Imperial Highway past their radio car. Upon exiting the radio car, Deputy Leon ran to the rear of their car and he saw Suspect White stumble to the ground, continuing in momentum, attempting to gather his footing and continue his direction of travel on foot. He saw Deputy Aceves, who had exited the passenger side of the radio car first, had caught up to the suspect and then grab hold of him. Deputy Leon went to assist his partner with the detention of Suspect White while monitoring the remaining two individuals on the sidewalk.

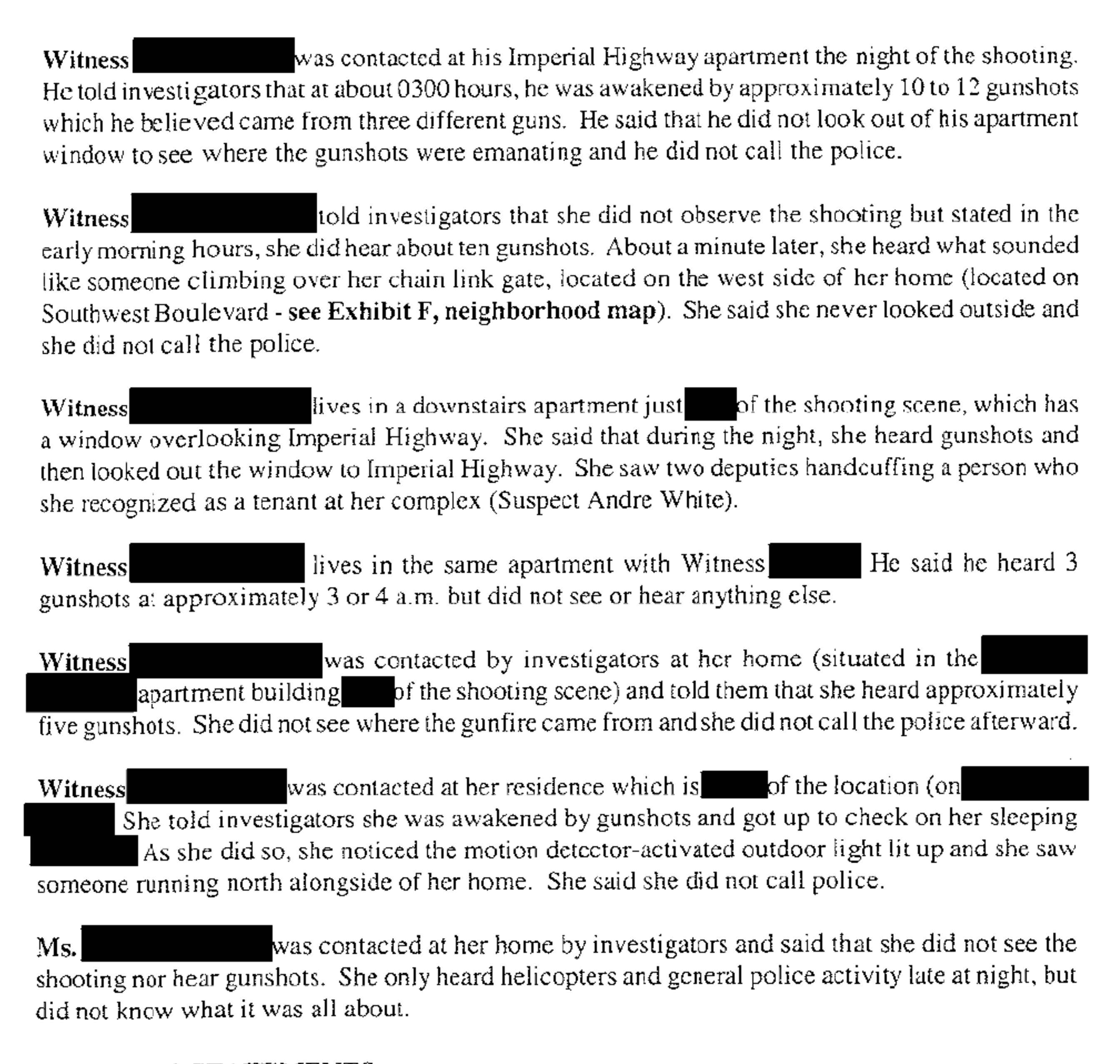
As his partner was contacting the suspect on the ground, Deputy Leon noticed one of the other young men that were standing west of him on the north sidewalk, point a dark-colored handgun at him and then he saw a "muzzle flash" emit from the weapon as the suspect fired one round at him. Out of fear he would be shot and killed, Deputy Leon fired back at the suspect with his duty Beretta approximately five times. The suspect and his companion on the sidewalk (Suspects #1 [Bazley] & #3) then ran westbound on Imperial Highway to northbound Vermont Avenue, then onto northeast Southwest Boulevard and out of his view. Deputy Leon said he put out radio traffic notification to other units regarding the shooting and the suspects who were fleeing the location. He said Suspect White was then handcuffed without further incident.

Deputy Leon estimated the distance between his and Deputy Aceves' position and the individuals on the sidewalk to be "25 to 40 feet." He said he maintained visual contact of his partner during the entire incident. He said that once he saw that Suspect Bazley had raised his weapon, he became very cognizant of where his patrol car was and he began to retreat to his patrol car when he saw the muzzle flashes. Being in the open and feeling the threat would persist if he did not return fire in the time it may take him to get back behind his car, he returned fire prior to obtaining cover or completing his move to gain cover. He said he did not see the suspect toss the weapon which was later found on the street surface in the #3 lane (refer to **Exhibit J, SSB supp. reports**).

Deputy Leon knew the neighborhood to be a Denver Lane Blood area. This knowledge caused him to be watchful in all points south, east and north of him after Suspect Bazley shot at them, in case neighborhood gang members may try to "take sniper shots at" them while they were occupied with handcuffing Suspect White. He said they did not know if they had been set up for ambush or not, but that was his frame of mind once the shots were fired at him and Deputy Aceves.

WITNESS STATEMENTS

The area was canvassed by Operation Safe Streets detectives and later by the Internal Affairs Bureau investigator. No one contacted actually saw the shooting but the following people did acknowledge their awareness with the following statements:



Witness [redacted] was contacted at his Imperial Highway apartment the night of the shooting. He told investigators that at about 0300 hours, he was awakened by approximately 10 to 12 gunshots which he believed came from three different guns. He said that he did not look out of his apartment window to see where the gunshots were emanating and he did not call the police.

Witness [redacted] told investigators that she did not observe the shooting but stated in the early morning hours, she did hear about ten gunshots. About a minute later, she heard what sounded like someone climbing over her chain link gate, located on the west side of her home (located on Southwest Boulevard - **see Exhibit F, neighborhood map**). She said she never looked outside and she did not call the police.

Witness [redacted] lives in a downstairs apartment just [redacted] of the shooting scene, which has a window overlooking Imperial Highway. She said that during the night, she heard gunshots and then looked out the window to Imperial Highway. She saw two deputies handcuffing a person who she recognized as a tenant at her complex (Suspect Andre White).

Witness [redacted] lives in the same apartment with Witness [redacted] He said he heard 3 gunshots at approximately 3 or 4 a.m. but did not see or hear anything else.

Witness [redacted] was contacted by investigators at her home (situated in the [redacted] apartment building [redacted] of the shooting scene) and told them that she heard approximately five gunshots. She did not see where the gunfire came from and she did not call the police afterward.

Witness [redacted] was contacted at her residence which is [redacted] of the location (on [redacted] She told investigators she was awakened by gunshots and got up to check on her sleeping [redacted] As she did so, she noticed the motion detector-activated outdoor light lit up and she saw someone running north alongside of her home. She said she did not call police.

Ms. [redacted] was contacted at her home by investigators and said that she did not see the shooting nor hear gunshots. She only heard helicopters and general police activity late at night, but did not know what it was all about.

SUSPECT'S STATEMENTS

Suspect Andre White was interviewed by OSS investigators on March 2, 2005. He acknowledged being a Denver Lane Blood. He said that after going to the Mobil Station at Vermont Avenue and Imperial Highway, he was walking back toward his residence [redacted] on the north sidewalk. He told investigators that due to recent gang warfare going on in his neighborhood, he was carrying a .38 caliber pistol in his front right jacket pocket. When patrol deputies (Aceves and Leon) pulled up to contact him, out of fear of being arrested, he ran off. After a short distance on his run, he tripped in the street. He said that at this point, he took his .38 caliber pistol out of his jacket pocket and tossed it before deputies apprehended him. After discarding the .38, he heard gunshots behind him and then he heard one of the deputies say, "Shots fired," and then he heard deputies firing their weapons. He claimed he was by himself but he did see a homeless-type person wearing black clothing and a dread-lock hairstyle standing west of him near the bus stop. (Following the

incident, Sheriff's personnel thoroughly searched the area looking for the .38 caliber pistol but did not find any such weapon.

> **IAB Note:** The handling detective reviewed the Mobil gas station security video recording of the date and time just prior to the shooting. It showed Suspect White and one of the other two suspects walking northbound away from the station at 0209 hours, approximately three minutes prior to the shooting.

After viewing the video tape, a different pair of OSS detectives brought Suspect White in for a second interview and he again, agreed to discuss the incident. Initially, he alleged he was walking alone from the gas station after purchasing a cigar. He said there were a number of "smokers" (drug users) out on the sidewalk, near his location, but he claimed he was otherwise, by himself. He also said he was drunk and ran away from deputies when they came up to contact him. When reminded that he (Suspect White) told other OSS detectives a few days earlier that he ran because he was in possession of a gun, he revised his story and said he also ran because of the gun he had. He now said that he started to run, but because he was intoxicated, he stumbled off the curb and fell to the street surface, with the deputy coming up to him and trying to handcuff him. This is when he heard gunshots from both deputies.

During this second interview, Suspect White described his weapon as a .38 caliber revolver with wood grips. He insisted he was alone when the incident occurred. When the detective advised him that a comprehensive search of the area was conducted and no.38 caliber revolver could be located, he insisted that he had the .38 revolver and said he had no idea where it landed.

When told that the detectives had obtained and reviewed the video tape from the Mobil Station and he was shown still photographs taken from the video which depict the other suspect with Suspect White just prior to the shooting, he admitted that he was with someone else at the station but claimed that they went off on their own separate ways after leaving the station. When pressed, he acknowledged the other person was "Relative" or "Tive" (Suspect Bazley), who he said lives on [redacted] in [redacted] but who is a member of the Denver Lane Bloods gang.

> **IAB Note:** Continued investigation by OSS detectives lead them to "Relative," Suspect Bazley, and pursuant to a search and arrest warrant, he was arrested on February 10, 2005, on [redacted] in [redacted]

Suspect Rashad Bazley was arrested eight days after the shooting and submitted to an interview by OSS detectives. He said he did not have a gun, shoot at the deputies or have affiliation with the Denver Lane Bloods gang. He said that when he went to the Mobil Station on the southwest corner of Vermont Avenue and Imperial Highway to buy a cigar, he ran into Suspect White. They purchased cigars together and then were walking eastbound on Imperial Highway approaching the southwest corner of the medical building when he (Bazley) noticed a radio car coming toward them on Imperial Highway. The car stopped and the deputies got out of their car, Suspect White ran off eastbound on Imperial Highway.

Bazley said that as he was running, Suspect White fell to the ground and spun around as he was falling. One of the deputies caught White as he was falling and started to kneel down when Bazley said he heard two gunshots which he thought were coming from the rear of his location, but he was unsure. Within seconds, he heard deputies yell out, "Don't move." He then saw them firing their weapons in his direction. As they fired, Suspect Bazley said he ran off westbound on Imperial Highway and then northbound on Southwest Boulevard.

Suspect Bazley claimed there were several "smokers" just west of him on the sidewalk when the shooting occurred. He claimed there were several of these transient "smokers" near him and they too ran westbound when the gunfire erupted.

Suspect Bazley denied shooting at the deputies and denied ever having a gun. He said he didn't know if Suspect White possessed a gun at the time of the incident. and he did not know why White ran when deputies pulled up and stopped. He claimed not to be aware of Suspect White tossing anything when he ran off and fell either. He did recall Suspect White flailing his arms when he fell however. Suspect Bazley said he could understand why deputies were firing their weapons because of the earlier gunshots he heard. In a sketch of the scene detectives asked Bazley to draw (refer to **Exhibit B**, supplemental reports), he placed himself at the southeast corner of the medical center building on Imperial Highway at the time of the shooting.

MISCELLANEOUS

Photographs and the scene sketch depict where the suspect's weapon and keys were discarded. Expended shell casings from mostly 9mm rounds and one .380 semi-auto shell are also visible on the sketch and in photos. These items corroborate involved employees' and suspects' statments as to positioning when the shooting occurred.